

REMARKS

In accordance with the foregoing, the specification has been amended to remove "carrier wave" as an example of a computer-readable medium. Claims 12-18 have been canceled without prejudice or disclaimer, and claims 19-34 have been added. Claims 1-11 and 19-34 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §101:

Claims 1-14 and 18 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claims 1-11, it is noted that independent claim 1 recites "obtaining a markup picture from the markup document according to the device-aspect-ratio information" and "combining the AV picture and the markup picture." That is, claim 1 does include a transformation of underlying subject matter. For example, a markup picture is transformed according to device-aspect-ratio information, and an AV picture and markup picture are transformed by virtue of their combination. Moreover, claims 2-11 are deemed allowable due at least to their dependence from claim 1. Therefore, the Applicants respectfully request that the rejection be withdrawn.

Regarding the rejection of claims 12-14 and 18, it is noted that these claims have been cancelled without prejudice or disclaimer. Therefore, the Applicants respectfully request that the rejection be withdrawn.

Claims 15-17 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Regarding the rejection of claims 15-17, it is noted that these claims have been cancelled without prejudice or disclaimer. Therefore, the Applicants respectfully request that the rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-10, 12-13 and 15-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lamkin et al. (U.S. Patent 7,346,920), hereinafter "Lamkin," in view of Hirose et al. (U.S. Patent 6,973,619), hereinafter "Hirose," Perlman et al. (U.S. Patent 6,141,693),

hereinafter "Perlman," Nielsen (U.S. Patent 5,897,644), and Hodgkinson (U.S. Publication 2002/0126142). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 1, it is noted that claim 1 recites, "obtaining device-aspect-ratio information corresponding to the markup document" and "obtaining a markup picture from the markup document according to the device-aspect-ratio information." In contrast, Hirose discloses a generating of **a markup document** (as opposed to a markup picture) according to attributes of a client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). That is, rather than obtaining a markup picture from a markup document according to the attributes of the client terminal, Hirose generates the markup document itself according to the attributes of the client terminal, and then transmits the generated markup document to the client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Specifically, Hirose discloses an HTTP server 100 (FIG. 1) that "receives various parameters from client terminals 120 to 150 and returns adequate HTML documents corresponding to them" (column 7, lines 7-10). The HTTP server 100 generates a group of data objects related to requested display content (column 8, lines 47-49; 1020 in FIG. 4), generates a root view object (column 8, lines 51-52; 1030 in FIG. 4), and generates a plurality of child view objects using the generated group of data objects and information about attributes of the terminal (column 8, lines 57-60; 1040 in FIG. 4). The child view objects each comprises a part of an HTML document, such that the root view object generates the HTML document from the child view objects (column 8, lines 61-67; 1050 in FIG. 4). Accordingly, a markup picture is not obtained according to terminal attributes from a markup document, as the markup document is, itself, generated according to the terminal attributes. Thus, the markup picture is directly obtained from the markup document (i.e., as a source markup picture) with no consideration of the terminal attributes. Therefore, the Applicants respectfully submit that Hirose fails to disclose, implicitly or explicitly, an obtaining of a markup picture from a markup document according to device-aspect-ratio information, as recited in claim 1.

Furthermore, Nielsen also does not obtain a markup picture from a markup document according to device-aspect-ratio information. Rather, Nielsen explicitly maintains an aspect ratio of a source markup picture, with no consideration of a device aspect ratio, while maximizing height and width attributes of the markup picture within a display device. Specifically, the method described in Nielsen determines a size of the display window (column 7, lines 50-65; column 8, lines 20-26), and maximizes the markup picture to fit into the display window according to an

aspect ratio of the markup picture and the size (**but not aspect ratio**) of the display window (column 7, lines 50-65; column 8, lines 20-26). In particular, a "Determine Display Size" process "accesses information about the display device containing the window to determine the maximal size available for the window" (column 7, lines 50-53). Then, the markup picture is maximized to fill the display window (column 7, lines 50-65; column 8, lines 20-26). Finally, the markup picture is resized according to the markup picture aspect ratio (column 8, lines 37-65), resulting in a markup picture that is maximally displayed according to the display window size (**but not aspect ratio**) while maintaining the **aspect ratio of the source markup picture**. The Applicants note that the resizing of the markup picture is based on a transformation value (T) determined according to the markup document aspect ratio, and **not** the display device aspect ratio (column 8, lines 49-57; the canvas height and width is the markup picture height and width). Thus, Nielsen clearly does not disclose device-aspect-ratio information corresponding to a markup document, but does disclose a markup document aspect ratio information. In fact, the Nielsen method is not concerned whatsoever with the aspect ratio of the device, but only a height and width of the device in order to maximize the height and width of the markup picture while maintaining the aspect ratio of the source markup picture. Therefore, the Applicants respectfully submit that Nielsen fails to disclose, implicitly or explicitly, an obtaining of display device aspect ratio information and an obtaining of a markup picture according to the display device-aspect-ratio information, as recited in claim 1.

As described above, neither Nielsen nor Hirose disclose an obtaining of a markup picture from a markup document according to device-aspect-ratio information. Furthermore, it is noted that an obtaining of a markup picture from a markup document according to device-aspect-ratio information would not have been obvious from a combination of Nielsen and Hirose. Specifically, Hirose discloses a generating of a markup document (as opposed to a markup picture) at an HTTP server according to received attributes of a client terminal, and then transmitting the generated markup document to the corresponding terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Meanwhile, Nielsen discloses a generating of a markup picture with full deference to an aspect ratio of the markup document, and no consideration of a device-aspect-ratio. **Neither reference discloses an obtaining of a markup picture according to device-aspect-ratio information.** Moreover, a combination of Nielsen and Hirose would yield a method of generating a markup document according to device attributes (Hirose), transmitting the markup document to the device (Hirose), and maximizing a display of a

markup picture obtained, **without considering an aspect ratio of the device**, from the markup document while maintaining the aspect ratio of the markup picture (Nielsen). In contrast, the present claim displays **a markup picture that is obtained according to attributes of a device**.

Lamkin, Perlman, and Hodgkinson do not cure the deficiencies of Nielsen and Hirose. Therefore, the Applicants respectfully submit that Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose an obtaining of a markup picture according to the display device-aspect-ratio information, as recited in claim 1.

Regarding the rejection of claims 2-3, it is noted that these claims depend from claim 1 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 4, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose device-aspect-ratio included in the markup document, as recited in claim 4.

Regarding the rejection of claim 5, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Rather, Nielson discloses a transforming of a source markup picture according to a device size, but not aspect ratio. Furthermore, Hirose does not disclose a transforming of a source markup picture whatsoever. Rather, Hirose teaches a method of generating a markup document according to device attributes such that the source markup picture obtained from the markup document is not transformed at all. Finally, Perlman does not disclose a modifying of a markup picture, as suggested by the Examiner. Rather, Perlman relates to a transforming of video data. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose a transforming of a markup picture according to device-aspect-ratio information, as recited in claim 5.

Regarding the rejection of claim 6, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Rather, Nielson discloses a transforming of a source markup picture according to a device size, but not aspect ratio. Furthermore, Hirose does not disclose a transforming of a source markup

picture whatsoever. Rather, Hirose teaches a method of generating a markup document according to device attributes such that the source markup picture obtained from the markup document is not transformed at all. Finally, Perlman does not disclose a modifying of a markup picture, as suggested by the Examiner. Rather, Perlman relates to a transforming of video data. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose a transforming of a markup picture according to device-aspect-ratio information, as recited in claim 6.

Regarding the rejection of claim 7, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Rather, Nielson discloses a transforming of a source markup picture according to a device size, but not aspect ratio. Furthermore, Hirose does not disclose a scaling of a source markup picture or a comparing of information on an aspect ratio of a destination device with device-aspect-ratio information. Rather, Hirose teaches a method of generating a markup document according to device attributes such that the source markup picture obtained from the markup document is not transformed at all. Finally, Perlman does not disclose a scaling of a markup picture, as suggested by the Examiner. Rather, Perlman relates to a transforming of video data. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose a scaling of a markup picture in response to information on an aspect ratio of a destination device being different from the device-aspect-ratio information, as recited in claim 7.

Regarding the rejection of claim 8, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 9, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, and Hodgkinson, fails to disclose device-aspect-ratio included in the markup document, as recited in claim 9.

Regarding the rejection of claim 10, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claims 12-13 and 15-18, it is noted that these claims have been cancelled without prejudice or disclaimer. Therefore, the Applicants respectfully request

that the rejection be withdrawn.

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lamkin, in view of Hirose, Perlman, Nielsen, Hodgkinson, and Markel (U.S. Patent 7,162,697). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 11, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above. In particular, it is noted that Nielson discloses a markup document aspect ratio, with no consideration of a device aspect ratio. Markel also does not disclose resolution information or aspect ratio information in a markup document. Therefore, Lamkin, in view of Hirose, Perlman, Nielsen, Hodgkinson, and Markel, fails to disclose device-aspect-ratio and resolution information included in the markup document, as recited in claim 1.

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lamkin, in view of Hirose, Perlman, Nielsen, Hodgkinson, and Nishi (U.S. Patent 6,681,395). Regarding the rejection of claim 14, it is noted that this claim has been cancelled without prejudice or disclaimer. Therefore, the Applicants respectfully request that the rejection be withdrawn.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

NEW CLAIMS 19-27:

Claims 19-27 respectively correspond to claims 1-9 of U.S. Patent Application No. 10/685,708, which are rejected under 35 U.S.C. §103(a) in the Office Action mailed November 13, 2008.

Claims 19-27 are allowable over Lamkin et al. (U.S. Patent 7,346,920), hereinafter "Lamkin," in view of Hirose et al. (U.S. Patent 6,973,619), hereinafter "Hirose," and Nielsen (U.S. Patent 5,897,644) for at least the following reasons.

Regarding independent claim 19, it is noted that claim 19 recites "the markup document includes device-aspect-ratio information" and "the device-aspect-ratio information is referenced to display the markup document." In contrast, Hirose discloses a **generating** of a markup document (as opposed to a **displaying** of a markup document) according to attributes of a client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). That is, rather than displaying a markup document by referencing attributes of the client terminal, Hirose generates the markup

document itself according to the attributes of the client terminal, and then transmits the generated markup document to the client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Accordingly, when the markup document is displayed, attributes of the client terminal are not referenced. Specifically, Hirose discloses an HTTP server 100 (FIG. 1) that "receives various parameters from client terminals 120 to 150 and returns adequate HTML documents corresponding to them" (column 7, lines 7-10). The HTTP server 100 generates a group of data objects related to requested display content (column 8, lines 47-49; 1020 in FIG. 4), generates a root view object (column 8, lines 51-52; 1030 in FIG. 4), and generates a plurality of child view objects using the generated group of data objects and information about attributes of the terminal (column 8, lines 57-60; 1040 in FIG. 4). The child view objects each comprises a part of an HTML document, such that the root view object generates the HTML document from the child view objects (column 8, lines 61-67; 1050 in FIG. 4). Accordingly, a markup document is not displayed by referring to terminal attributes, as the markup document is itself previously generated according to the terminal attributes. Thus, the markup document is directly displayed (i.e., as a source markup picture) with no consideration of the terminal attributes. Therefore, the Applicants respectfully submit that Hirose fails to disclose, implicitly or explicitly, a displaying of a markup document with reference to device-aspect-ratio information, as recited in claim 19.

Furthermore, Nielsen also does not display a markup document with reference to device-aspect-ratio information. Rather, Nielsen explicitly maintains an aspect ratio of a source markup picture, with no consideration of a device-aspect-ratio, while maximizing height and width attributes of the markup picture within a display device. Specifically, the method described in Nielsen determines a size of the display window (column 7, lines 50-65; column 8, lines 20-26), and maximizes the markup picture to fit into the display window according to an **aspect ratio of the markup document** and the size (**but not aspect ratio**) of the display window (column 7, lines 50-65; column 8, lines 20-26). In particular, a "Determine Display Size" process "accesses information about the display device containing the window to determine the maximal size available for the window" (column 7, lines 50-53). Then, the markup picture is maximized to fill the display window (column 7, lines 50-65; column 8, lines 20-26). Finally, the markup picture is resized according to the markup document aspect ratio (column 8, lines 37-65), resulting in a markup picture that is maximally displayed according to the display window size (**but not aspect ratio**) while maintaining the **aspect ratio of the source markup picture**. The Applicants note that the resizing of the markup picture is based on a transformation value (T) determined

according to the markup document aspect ratio, and **not** the display-device-aspect ratio (column 8, lines 49-57; the canvas height and width is the markup picture height and width). Thus, Nielsen clearly does not disclose device-aspect-ratio information corresponding to a markup document, but does disclose a markup document aspect ratio information. In fact, the Nielsen method is not concerned whatsoever with the aspect ratio of the device, but only a height and width of the device in order to maximize the height and width of the markup picture while maintaining the aspect ratio of the markup document. Therefore, the Applicants respectfully submit that Nielsen fails to disclose, implicitly or explicitly, a markup document including device-aspect-ratio information and a displaying of a markup document with reference to device-aspect-ratio information, as recited in claim 19.

As described above, neither Nielsen nor Hirose disclose a markup document including device-aspect-ratio information, let alone a displaying of a markup document with reference to device-aspect-ratio information. Furthermore, it is noted that a displaying of a markup document with reference to device-aspect-ratio information would not have been obvious from a combination of Nielsen and Hirose. Specifically, Hirose discloses a generating of a markup document (as opposed to a displaying of a markup document) at an HTTP server according to received attributes of a client terminal, and then transmitting the generated markup document to the corresponding terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Meanwhile, Nielsen discloses a generating of a markup picture with full deference to an aspect ratio of the markup document, and no consideration of a device-aspect-ratio. **Neither reference discloses a displaying of a markup document with reference to device-aspect-ratio information.** Moreover, a combination of Nielsen and Hirose would yield a method of generating a markup document according to device attributes (Hirose), transmitting the markup document to the device (Hirose), and maximizing a display of the markup document, **without referencing an aspect ratio of the device**, while maintaining the aspect ratio of the markup document (Nielsen). In contrast, the present claim **displays the markup document with reference to attributes of a device**. Lamkin does not cure the deficiencies of Nielsen and Hirose. Therefore, the Applicants respectfully submit that Lamkin, in view of Hirose and Nielsen, fails to disclose a displaying of a markup document according to the display device-aspect-ratio information, as recited in claim 19.

Regarding claims 20-27, it is noted that these claims depend from claim 19 and are, therefore, allowable for at least the reasons set forth above.

Furthermore, claims 19-27 are allowable over Lamkin, Hirose, Nielsen, and Perlman et al. (U.S. Patent 6,141,693), hereinafter "Perlman," for at least similar reasons to those set forth above, as Perlman does not overcome the deficiencies as provided above.

NEW CLAIMS 28-34:

Claims 28-34 respectively correspond to claims 1 and 3-8 of U.S. Patent Application No. 10/685,702, which are rejected under 35 U.S.C. §103(a) in the Office Action mailed November 26, 2008.

Claims 28-34 are allowable over Lamkin et al. (U.S. Patent No. 7,346,920), in view of Hodgkinson (U.S. Pre Grant Publication No. 2002/0126142), Hirose et al. (U.S. Patent No. 6,973,619) and Nielsen (U.S. Patent No. 5,897,644) for at least the following reasons.

Regarding independent claim 28, it is noted that claim 28 recites an enhanced audio/video engine that interprets a markup document "to read device-aspect-ratio information included in the markup and to obtain a source markup picture" and that "transforms the source markup picture into a markup picture according to the device-aspect-ratio information." In contrast, Hirose discloses a generating of **a markup document** (as opposed to a markup picture) according to attributes of a client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). That is, rather than obtaining a markup picture from a markup document according to the attributes of the client terminal, Hirose generates the markup document itself according to the attributes of the client terminal, and then transmits the generated markup document to the client terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Specifically, Hirose discloses an HTTP server 100 (FIG. 1) that "receives various parameters from client terminals 120 to 150 and returns adequate HTML documents corresponding to them" (column 7, lines 7-10). The HTTP server 100 generates a group of data objects related to requested display content (column 8, lines 47-49; 1020 in FIG. 4), generates a root view object (column 8, lines 51-52; 1030 in FIG. 4), and generates a plurality of child view objects using the generated group of data objects and information about attributes of the terminal (column 8, lines 57-60; 1040 in FIG. 4). The child view objects each comprises a part of an HTML document, such that the root view object generates the HTML document from the child view objects (column 8, lines 61-67; 1050 in FIG. 4). Accordingly, a markup picture is not obtained according to terminal attributes from a markup document, as the markup document is, itself, generated according to the terminal attributes. Thus, the markup picture is directly obtained from the markup document (i.e., as a

source markup picture) with no consideration of the terminal attributes. Therefore, the Applicants respectfully submit that Hirose fails to disclose, implicitly or explicitly, an obtaining of a markup picture from a markup document according to device-aspect-ratio information, as recited in claim 28.

Furthermore, Nielsen also does not obtain a markup picture from a markup document according to device-aspect-ratio information. Rather, Nielsen explicitly maintains an aspect ratio of a source markup picture, with no consideration of a device aspect ratio, while maximizing height and width attributes of the markup picture within a display device. Specifically, the method described in Nielsen determines a size of the display window (column 7, lines 50-65; column 8, lines 20-26), and maximizes the markup picture to fit into the display window according to an **aspect ratio of the markup picture** and the size (**but not aspect ratio**) of the display window (column 7, lines 50-65; column 8, lines 20-26). In particular, a "Determine Display Size" process "accesses information about the display device containing the window to determine the maximal size available for the window" (column 7, lines 50-53). Then, the markup picture is maximized to fill the display window (column 7, lines 50-65; column 8, lines 20-26). Finally, the markup picture is resized according to the markup picture aspect ratio (column 8, lines 37-65), resulting in a markup picture that is maximally displayed according to the display window size (**but not aspect ratio**) while maintaining the **aspect ratio of the source markup picture**. The Applicants note that the resizing of the markup picture is based on a transformation value (T) determined according to the markup document aspect ratio, and **not** the display device aspect ratio (column 8, lines 49-57; the canvas height and width is the markup picture height and width). Thus, Nielsen clearly does not disclose device-aspect-ratio information corresponding to a markup document, but does disclose a markup document aspect ratio information. In fact, the Nielsen method is not concerned whatsoever with the aspect ratio of the device, but only a height and width of the device in order to maximize the height and width of the markup picture while maintaining the aspect ratio of the source markup picture. Therefore, the Applicants respectfully submit that Nielsen fails to disclose, implicitly or explicitly, an obtaining of display device aspect ratio information and an obtaining of a markup picture according to the display device-aspect-ratio information, as recited in claim 28.

As described above, neither Nielsen nor Hirose disclose an obtaining of a markup picture from a markup document according to device-aspect-ratio information. Furthermore, it is noted that an obtaining of a markup picture from a markup document according to device-aspect-ratio

information would not have been obvious from a combination of Nielsen and Hirose. Specifically, Hirose discloses a generating of a markup document (as opposed to a markup picture) at an HTTP server according to received attributes of a client terminal, and then transmitting the generated markup document to the corresponding terminal (Abstract; column 8, lines 55-63; column 9, lines 31-34). Meanwhile, Nielsen discloses a generating of a markup picture with full deference to an aspect ratio of the markup document, and no consideration of a device-aspect-ratio. **Neither reference discloses an obtaining of a markup picture according to device-aspect-ratio information.** Moreover, a combination of Nielsen and Hirose would yield a method of generating a markup document according to device attributes (Hirose), transmitting the markup document to the device (Hirose), and maximizing a display of a markup picture obtained, **without considering an aspect ratio of the device**, from the markup document while maintaining the aspect ratio of the markup picture (Nielsen). In contrast, the present claim displays **a markup picture that is obtained according to attributes of a device**. Lamkin and Hodgkinson do not cure the deficiencies of Nielsen and Hirose. Therefore, the Applicants respectfully submit that Lamkin, in view of Hodgkinson, Hirose, and Nielsen, fails to disclose an obtaining of a markup picture according to the display device-aspect-ratio information, as recited in claim 28.

Regarding claims 29-34, it is noted that these claims depend from claim 28 and are, therefore, allowable for at least the reasons set forth above.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

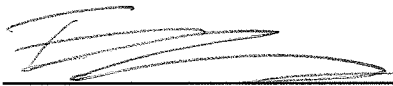
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 2/13/09

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